

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF LOUISIANA**

STATE OF LOUISIANA,

Plaintiff,

v.

SANOFI-AVENTIS U.S. LLC, *et al.*,

Defendants.

Civil Action No. 3:23-cv-00302-
BAJ-SDJ

Removed from Case No. C-729791,
19th JUDICIAL DISTRICT COURT,
PARISH OF EAST BATON
ROUGE

**CAREMARKPCS HEALTH, L.L.C.’S MOTION FOR LEAVE TO FILE 3-PAGE
SUPPLEMENTAL MEMORANDUM IN OPPOSITION TO PLAINTIFF STATE OF
LOUISIANA’S MOTION TO REMAND**

Defendant CaremarkPCS Health, L.L.C. (“CVS Caremark”) respectfully moves this Court for leave to file the attached 3-page Supplemental Memorandum in Opposition to Plaintiff State of Louisiana’s Motion to Remand, upon showing that:

1.

After CVS Caremark filed its Memorandum in Opposition to the Plaintiff State of Louisiana’s Motion to Remand, two district courts in other jurisdictions granted motions to remand in similar – but distinguishable – cases. *People v. Eli Lilly & Co., et al*, No. 2:23-cv-01929-SPG-SK, 2023 WL 4269750 (C.D. Cal. June 28, 2023) (“*California*”); *Government of Puerto Rico v. Eli Lilly and Co., et al*, No. 23-1127-JAG (D.P.R. July 13, 2023) (“*Puerto Rico*”). In its Reply In Support of its Motion to Remand, the State cites *California* extensively in advancing its arguments in favor of remand. *See* ECF No. 37 at 1, 4 n.1, 6, 8. As the attached Proposed Supplemental Memorandum shows, however, the State’s reliance on that case is misplaced. For the same reasons, as the memo explains, *Puerto Rico* does not support the State’s arguments in this case. Granting leave to file would allow CVS Caremark a fair opportunity to address rulings that came

out only after its original opposition brief was filed and which the State has had an opportunity to cite in advancing its views.

WHEREFORE, CVS Caremark respectfully moves the Court to enter the Order proposed herewith granting it leave to file attached Supplemental Memorandum in Opposition to Plaintiff's Motion to Remand.

This 14th day of July, 2023

Respectfully submitted,

/s/ James A. Brown

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CVS Health Corporation***

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of July, 2023 I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Notice of this filing will be sent to all counsel of record registered to receive electronic service by operation of the Court's electronic filing system.

/s/ James A. Brown